



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment*

**PUBLIC NOTICE**  
***Clarification***

**Jimmy Varos, P/N# 2008-01039-2IH-P**

The Army Corps of Engineers placed the above project on public notice on June 20, 2008. OCRM did not place this project on public notice because additional information was required from the applicant. This notice is to clarify that OCRM is placing the above project on public notice July 11, 2008 and that the correct suspense date to have comments to OCRM is **August 10, 2008**.

**Comments will be received on this public notice at the address below until August 10, 2008. For further information, please contact the project manager, Josh Young, 843-953-0257.**

July 11, 2008

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and**

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Ocean and Coastal Resource Management**  
**1362 McMillan Avenue, Suite 400**  
**Charleston, South Carolina 29405**

REGULATORY DIVISION

Refer to: P/N #2008-01039-2IH -P

June 20, 2008

page 1 of 3

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

**JIMMY VAROS**  
**C/O DOCKMASTERS CONSTRUCTION**  
**ATTN: DAVID RICHARDSON**  
**233 HOGGARD LANE, UNIT B**  
**JOHNS ISLAND, SOUTH CAROLINA 29414**

for a permit to construct an addition to an existing dock in

**OAK ISLAND CREEK**

at the location 2293 Folly Road on James Island, Charleston County, South Carolina 29412  
(Latitude 32.669369, Longitude -79.947632)

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, JULY 21, 2008**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the modification of an existing 7' wide by 68.9' long deck by adding an 8' wide by 109' floating dock with an attached 3' wide by 20' ramp leading to a 10' by 10' fixed pierhead. The dock is intended for public access to the restaurant on location.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1,032 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Holland Youngman at 843-329-8044 or toll free at 1-866-329-8187.

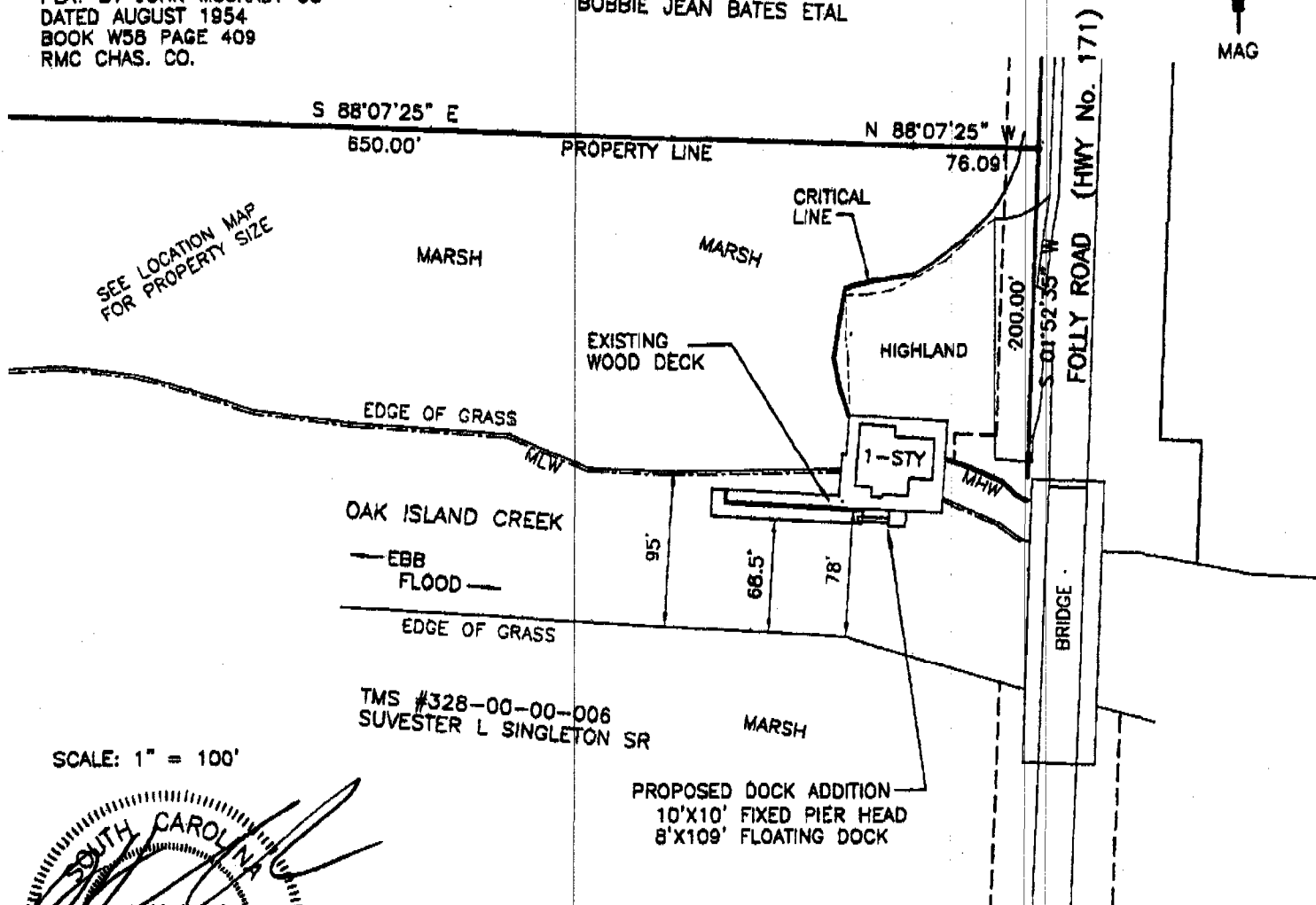
josh young  
SCdhec - dcm  
Project  
manager


**A.H. SCHWACKE & ASSOCIATES, INC.**  
**LAND SURVEYING & CONSTRUCTION LAYOUT**

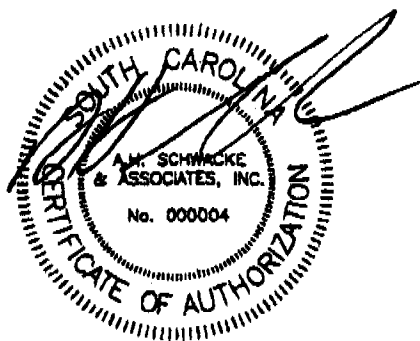
 1975 FRAMPTON AVE PH: 843-762-7005 FAX 843-762-0109  
 P.O. BOX 13077, CHARLESTON, SOUTH CAROLINA 29422-3077
**REFERENCE:**
 PLAT BY JOHN McCRAIDY CO  
 DATED AUGUST 1954  
 BOOK W58 PAGE 409  
 RMC CHAS. CO.

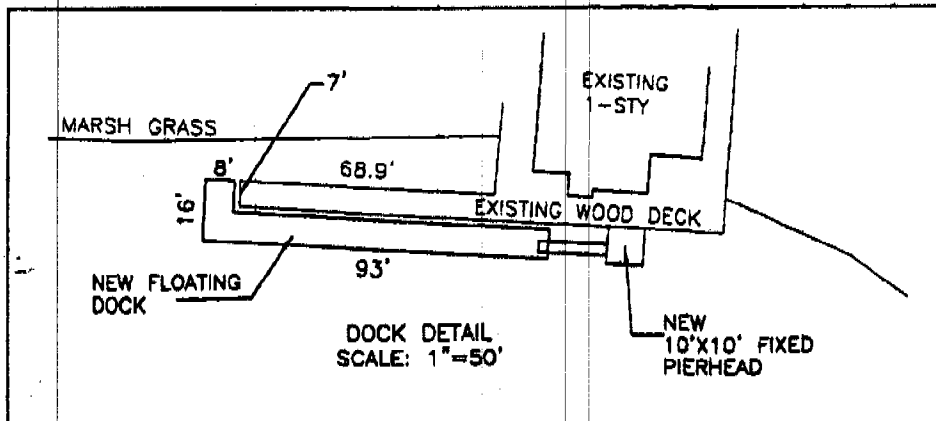
 TMS #328-00-00-004  
 BOBBIE JEAN BATES ETAL

MAG



SCALE: 1" = 100'


 SURVEY FOR DOCK PERMIT ONLY  
 NOT A PROPERTY LINE SURVEY

 NO PORTION OF THE DOCK IS TO BE  
 CONSTRUCTED AS TO EXTEND BEYOND  
 1/4 OF THE CREEK'S WIDTH MEASURED  
 FROM SHORELINE TO SHORELINE  
 THE DOCK OR ANY BOAT MOORED AT THIS  
 DOCK DOES NOT IMPEDE OR UNDULY RESTRICT  
 NAVIGATION AT ANY STAGE OF THE TIDE CYCLE  
 ALL PORTIONS OF THE DOCK ARE CONSTRUCTED  
 AS TO REMAIN A MINIMUM OF 20' OFF OF THE  
 ADJOINING DOCK CORRIDOR LINES


DRAWN BY: AHS III

DATE: NOVEMBER 8, 2007

DWG. NO.: 07357

REVISED: NOVEMBER 19, 2007

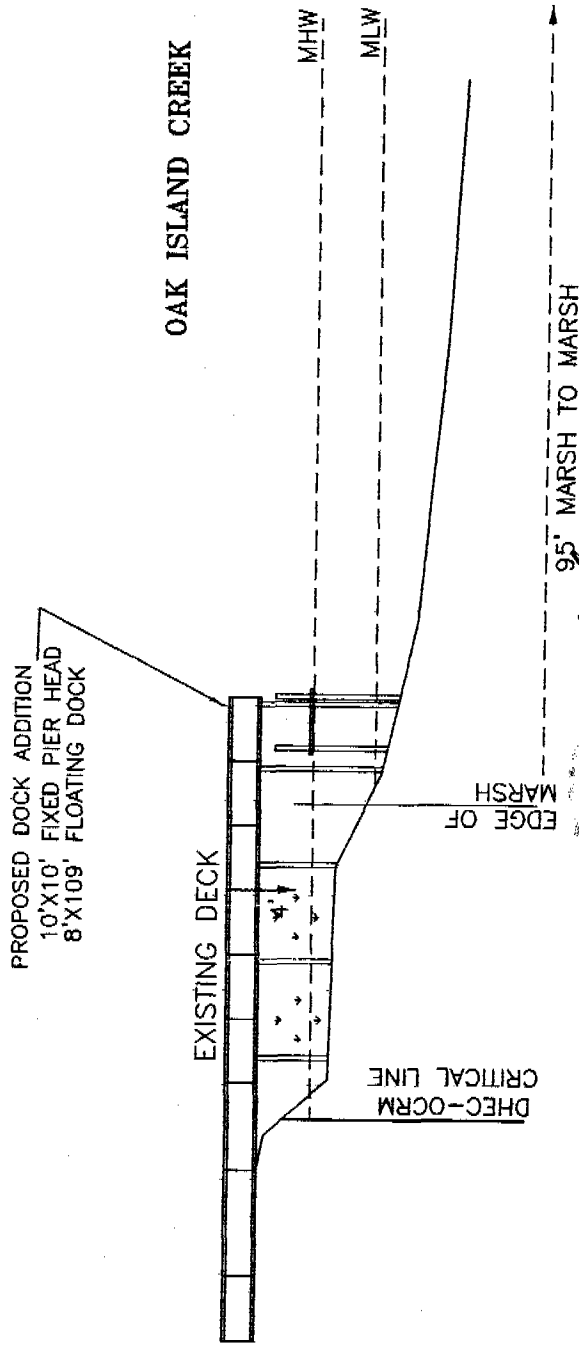
REVISED: JANUARY 4, 2008

**PROPOSED ACTIVITY**
 CONSTRUCT PRIVATE/COMMERCIAL DOCK  
 No. 2293 FOLLY ROAD  
 TAX MAP No. 328-00-00-005  
 CHARLESTON COUNTY, SOUTH CAROLINA
**APPLICANT:**
 JIMMY VAROS  
 921 YORK STREET NE  
 AIKEN, SC 29801-4023

 Jimmy Varos  
 P/N. 2008-01039-2IH-P

NO PORTION OF THE DOCK IS TO BE CONSTRUCTED AS TO EXTEND BEYOND 1/4 OF THE CREEK'S WIDTH AS MEASURED FROM SHORELINE TO SHORELINE  
THE DOCK OR ANY BOAT MOORED AT THIS DOCK DOES NOT IMPEDE OR UNDULY RESTRICT NAVIGATION AT ANY STAGE OF THE TIDE CYCLE  
ALL PORTIONS OF THE DOCK ARE CONSTRUCTED AS TO REMAIN A MINIMUM OF 20' OFF OF THE ADJOINING EXTENDED PROPERTY LINES

*Jimmy Varos*  
P/N: 2008-01039-2IH-P



NO PORTION OF THE DOCK IS TO BE CONSTRUCTED AS TO EXTEND BEYOND 1/4 OF THE CREEK'S WIDTH MEASURED FROM SHORELINE TO SHORELINE  
THE DOCK OR ANY BOAT MOORED AT THIS DOCK DOES NOT IMPEDE OR UNDULY RESTRICT NAVIGATION AT ANY STAGE OF THE TIDE CYCLE  
ALL PORTIONS OF THE DOCK ARE CONSTRUCTED AS TO REMAIN A MINIMUM OF 20' OFF OF THE ADJOINING DOCK CORRIDOR LINES



Prepared by:  
**A.H. SCHWACKE & ASSOCIATES, INC**  
LAND SURVEYING  
1975 FRAMPTON AVENUE  
CHARLESTON, S.C. 29412

DATE: NOVEMBER 8, 2007  
REVISED: JANUARY 4, 2008

**LOCATION MAP** No. 2293 FOLLY ROAD  
CHARLESTON COUNTY, SOUTH CAROLINA

**ADJACENT PROPERTY OWNERS**

1. BOBBIE JEAN BATES ETAL (TMS #328-00-00-004)
2. SUVESTER L SINGLETON (TMS #328-00-00-006)

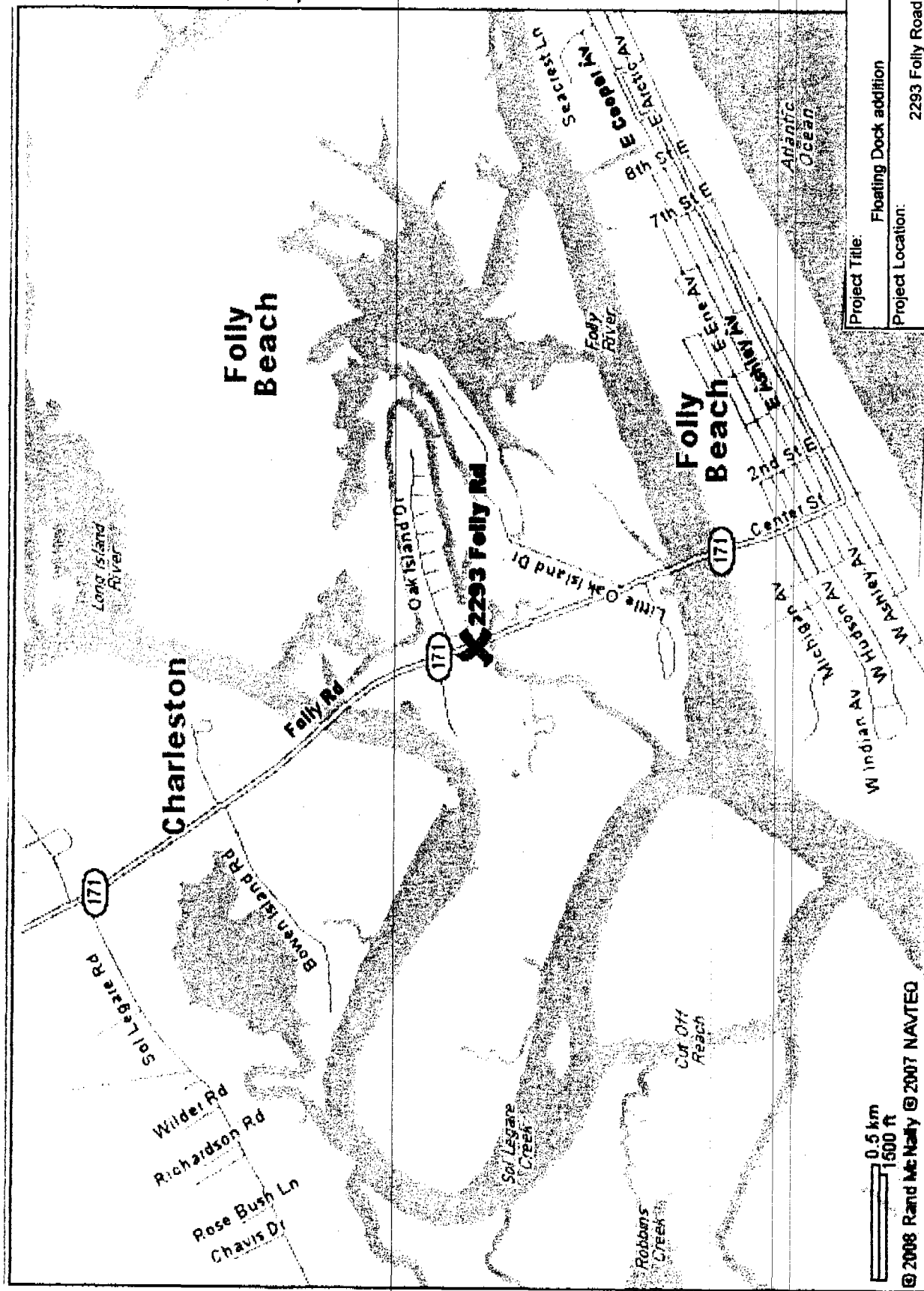
**PROPOSED ACTIVITY**  
CONSTRUCT PRIVATE/COMMERCIAL DOCK

CHARLESTON COUNTY

**APPLICANT:** JIMMY VAROS  
921 YORK STREET NE  
AIKEN, SC 29801-4023

NOT TO SCALE

Jimmy Varos  
P/N: 2008-01039-2I4-P



Project Title: Floating Dock addition	
Project Location: 2293 Folly Road	
Applicant: Jimmy Varos	
Date: 4/22/2008	Scale: 1"=50'
Application #: 2008-267-2IG	Sheet 1 of 3

Revisions	
Date	Initials